

**UNITED STATES DISTRICT COURT
DISTRICT OF NEBRASKA**

EXMARK MANUFACTURING CO.,
INC.,

Plaintiff,

v.

BRIGGS & STRATTON POWER
PRODUCTS GROUP, LLC, ET AL.,

Defendant.

**PLAINTIFF'S FIRST MOTION IN LIMINE TO PRECLUDE DEFENDANT FROM
PRESENTING IMPROPER ARGUMENTS, EVIDENCE, AND TESTIMONY RELATED
TO CLAIM CONSTRUCTION**

Plaintiff Exmark Manufacturing Co., Inc. (“Exmark”) hereby moves the Court for an order *in limine* precluding Defendant Briggs & Stratton Power Products Group, LLC (“Briggs”) from presenting improper arguments, evidence, and testimony related to claim construction. Specifically, Exmark moves the Court for an order precluding Briggs from arguing and presenting evidence that its redesigned accused products do not meet the “adjacent” limitation of the ’863 patent claims at issue, or presenting any other arguments and/or evidence that are inconsistent with the Court’s construction of the ’863 patent claims. In support of its motion, Exmark submits a brief herewith.

WHEREFORE, Plaintiff respectfully requests that the Court grant its First Motion in Limine To Preclude Defendant From Presenting Improper Arguments, Evidence, and Testimony Related to Claim Construction.

EXMARK MANUFACTURING CO., INC.

By its attorneys,

Dated: August 7, 2015

s/ J. Derek Vandenburg

J. Derek Vandenburg (admitted *pro hac vice*)
Joseph W. Winkels (admitted *pro hac vice*)
Alexander S. Rinn (admitted *pro hac vice*)
CARLSON, CASPERS, VANDENBURGH
LINDQUIST & SCHUMAN, P.A.
225 South Sixth Street, Suite 4200
Minneapolis, MN 55402
Phone: 612-436-9600
Fax: 612-436-9605
dvandenburg@carlsoncaspers.com
jwinkels@carlsoncaspers.com
arinn@carlsoncaspers.com

Jill Robb Ackerman (No. 17623)
BAIRD HOLM LLP
1500 Woodmen Tower
1700 Farnam Street
Omaha, NE 68102-2068
Phone: 402-636-8263
Fax: 402-344-0588
jrackerman@bairdholm.com

Certificate of Service

I certify that on August 7, 2015, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send notification of such filing to all counsel of record as follows:

J. Derek Vandenburg	Marc A. Cohn
Matthew J. Goggin	Matthew M. Wolf
Joseph W. Winkels	James T. Smith
Jill R. Ackerman	Charles R. Wolfe
Amy DeWitt	Rebecca D. Ward
William Loudon	Tara M. Marcus
Andre R. Barry	John P. Passarelli

s/ J. Derek Vandenburg

J. Derek Vandenburg (admitted *pro hac vice*)
 Joseph W. Winkels (admitted *pro hac vice*)
 Alexander S. Rinn (admitted *pro hac vice*)
 CARLSON, CASPERS, VANDENBURGH
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 225 South Sixth Street, Suite 4200
 Minneapolis, MN 55402
 Phone: 612-436-9600
 Fax: 612-436-9605
 dvandenburg@carlsoncaspers.com
 jwinkels@carlsoncaspers.com
 arinn@carlsoncaspers.com